

1
2
3
4
5
6
7 GEORGE AUSTIN, AK4262,
8 Plaintiff,
9 v.
10 TAMMY FOSS, et al.,
11 Defendant(s).

Case No. [21-cv-01098-CRB](#) (PR)

**ORDER VACATING JUNE 15, 2021
ORDER OF DISMISSAL AND
GRANTING EXTENSION OF TIME TO
FILE FIRST AMENDED COMPLAINT**
(ECF No. 10)

12 On June 15, 2021, the court dismissed this action because to date plaintiff had “neither
13 filed an amended complaint nor sought an extension of time to do so.” June 15, 2021 Order (ECF
14 No. 11) at 1. But it turns out that on June 4, 2021 plaintiff filed a motion for an extension of time
15 to amend due to prison lockdowns that the clerk did not upload onto the court’s electronic docket
16 (ECF) until June 14, 2021 and the court consequently did not see before issuing its June 15, 2021
17 order of dismissal.

18 Good cause appearing therefor, the court’s June 15, 2021 order of dismissal is VACATED
19 and plaintiff’s motion for an extension of time to amend (ECF No. 10) is GRANTED. Plaintiff
20 shall file a First Amended Complaint (FAC) by no later than July 23, 2021. Failure to file a FAC
21 within the designated time will result in the dismissal of this action.

22 The clerk is instructed to reopen this case and to set an amended complaint deadline of July
23, 2021.

24 **IT IS SO ORDERED.**

25 Dated: June 17, 2021

26
27
28 
CHARLES R. BREYER
United States District Judge